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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the implementation of General Assembly resolution 68/150

Summary

The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submits the present report pursuant to General Assembly resolution 68/150 on combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance. In that resolution, the General Assembly requested the Special Rapporteur to prepare for submission to the Human Rights Council, at its twenty-sixth session, a report on the implementation of the resolution based on the views of Governments and non-governmental organizations.

In the light of the information received, the present report addresses the latest developments identified by the Special Rapporteur with regard to the human rights and democratic challenges that extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements, continue to pose.

The Special Rapporteur examines the main areas of concern where further efforts and constant vigilance are required, including with regard to the protection of vulnerable groups of individuals against racist and xenophobic crimes and the protection and consolidation of democracy and human rights in general. He also identifies good practices developed by States and various stakeholders.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 68/150, in which the Assembly requests the Special Rapporteur to prepare, for submission to the Human Rights Council, at its twenty-sixth session, a report on the implementation of the resolution on combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, based on the views of Governments and non-governmental organizations (para. 37).

2. In paragraph 35 of General Assembly resolution 68/150, the Assembly recalls the request of the Commission on Human Rights, in its resolution 2005/5, that the Special Rapporteur continue to reflect on the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and racial intolerance, make relevant recommendations in his future reports and seek and take into account in that regard the views of Governments and non-governmental organizations. Furthermore, in accordance with paragraph 37 of General Assembly resolution 68/150, a similar report will be submitted to the General Assembly at its sixty-ninth session.

3. In section II of the present report, the Special Rapporteur addresses the human rights and democratic challenges posed by extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements, in the context of the current economic crisis. In section III, he examines cyberracism and hate propaganda disseminated in social media by extremist political parties, movements and groups. Section IV concerns extremism in sports. Section V is dedicated to countering Holocaust denial and the distortion of History. The Special Rapporteur identifies good practices developed by States and different stakeholders in chapter VI, and chapter VII contains his conclusions and recommendations.

II. Extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements, particularly in the context of the current economic crisis

4. In the present section, the Special Rapporteur focuses on information received relating to the existence of extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. The challenges posed concern (a) the protection and consolidation of human rights in a democratic context; (b) the persistence of persecution, racial violence and xenophobic crimes against vulnerable groups; and (c) the protection of victims and the prevention of racist and xenophobic crimes against vulnerable groups.

A. Protecting and consolidating human rights in a democratic context

5. In 2001, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban and in the Durban Declaration and Programme of Action which followed, States recognized that political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination were incompatible with democracy and accountable governance.

6. Reports received show that extremist political parties, movements and groups have gained influence in a number of countries and regions. Indeed, according to information received, in recent years the number of seats occupied by representatives of extremist and populist political parties has continued to increase, especially in local and regional parliaments. Similar trends of particular concern were also reported at the regional and municipal levels, where a number of far-right political parties managed to obtain seats during local parliamentary elections, especially throughout Europe.

7. An important challenge in countering racism is the sometimes equivocal position taken by mainstream political parties. The Special Rapporteur is concerned about information received indicating that, in some countries, traditional political parties continue to form coalitions with extremist political parties. The Special Rapporteur recalls that it is crucial that democratic political parties base their programmes and activities on respect for human rights and freedoms, democracy and the rule of law and condemn any political message aimed at fuelling racist, xenophobic, discriminatory or intolerant ideas. It is imperative that political leaders avoid playing the game of populism in order to gain votes and support, and take all the necessary measures to deal adequately with social and economic issues, particularly in the current period of economic crisis, and the discontent and mistrust of traditional political parties sometimes manifested by voters.

8. Furthermore, the Special Rapporteur received reports indicating that rhetoric disseminated by extremist political parties blaming migrants for political, economic and social problems continues to be popular. He emphasizes that it is important that a strong stance be taken by traditional political parties and their leaders against expressions of racism, xenophobia and related intolerance when they originate in their own ranks.

B. The persistence of persecution, racial violence and xenophobic crimes against vulnerable groups

9. In the current period of continued economic crisis and uncertainty, non-citizens, members of minorities, migrants, refugees and asylum seekers are still the main scapegoats of extremist political parties that have a xenophobic and racist agenda, which blame them for the social problems of the population and sometimes incite intolerance and violence against them.

10. Indeed, an increase in incidents involving racist violence perpetrated by extremist movements and groups, including neo-Nazis, skinheads and other right-wing movements, was reported in some countries, particularly in Eastern and Southern Europe. In that regard, the Special Rapporteur is concerned about reported cases of violence and harassment perpetrated by neo-Nazis and skinheads against individuals of African descent. He is also concerned by information indicating that Roma have been the target of intolerance and blamed for criminality by mainstream political parties and Governments in Europe and continue to be at a high risk of racist and xenophobic violence by individuals or groups with close ties to extremist political parties, movements and groups. Cases of attacks by skinheads against groups of Roma leading to injuries were also reported in Southern and Eastern Europe. Similarly, far-right groups have targeted houses and settlements inhabited by Roma. Furthermore, according to information received, threatening fascist messages and swastikas have been frequently tagged on Roma houses or near their settlements. Also of particular concern are reports indicating that in some countries, Muslims, Jews, gays and lesbians have been physically targeted by those same individuals or groups linked to extremist political parties, movements or groups.

11. The Special Rapporteur received reports about incidents against migrants and foreigners committed by individuals closely linked to far-right nationalist parties, including arson attacks on housing where immigrants live and places of worship, cases of beatings and stabbings of migrants and asylum seekers in the street, and racist demonstrations in areas frequented by migrants and asylum seekers which have led to them being injured and harassed. It was reported, for instance, that several marches against irregular migrants were organized in Eastern Europe by individuals belonging to far-right groups, and were followed by violent attacks against migrants. Other foreigners, including students, have also been targeted. In that regard, it was reported that raids have been organized by far-right groups on dormitories where a number of foreign students were living. It was also reported that, in some cases, vigilante groups comprising members of extremist political parties together with local residents have been patrolling certain areas and intimidating, threatening and attacking migrants.

12. The Special Rapporteur is concerned that in some instances, activities carried out by individuals linked to extremist groups or movements, including the distribution of leaflets and posters propagating hatred against migrants, have contributed to increased hostility against foreigners and migrants among the local population. It is important for the States concerned to take the necessary measures to ensure that the perpetrators of racially motivated acts are held responsible and brought to justice. States must also pay due attention to the victims of such crimes by providing them with effective means to make complaints and access to effective remedies through the justice system.

13. In addition, it was reported that in some countries, anti-immigrant border vigilante groups have attacked, harassed and sometimes killed individuals they perceived to be irregular migrants. In that connection, the Special Rapporteur warns States about the adoption and implementation of policy and legislative measures targeting migrants, especially irregular migrants, which may contribute to exacerbating xenophobic violence and hostility against them.

14. The Special Rapporteur is concerned that individuals in vigilante groups also target persons on the basis of their sexual orientation. He was informed about attacks by individuals linked to extreme right and neo-Nazi groups who had beaten homosexual men and lesbian women during or after public demonstrations calling for the recognition of lesbian, gay, bisexual, and transgender (LGBT) rights. It was also reported that extreme right and neo-Nazi groups have filmed attacks on gay men they had kidnapped, beaten and humiliated, then posted the clips on social networks and encouraged others to imitate those acts. The Special Rapporteur draws the attention of States and relevant authorities to prejudice and behaviour that tends to stigmatize and place individuals in a single category, whether racial or sexual, and calls for better protection for the LGBT community against extremist groups and discrimination.

15. The Special Rapporteur recalls that the identity of each individual is made up of a multitude of components, including race and ethnicity, gender, age, nationality, profession, sexual orientation, political opinion, religious affiliation and social origin. It is essential that appropriate measures be taken by States to address the multiple and often interlinked forms of discrimination faced by individuals on the basis of their race, colour, descent, national or ethnic origin and sexual orientation. The Special Rapporteur calls for further tolerance, mutual understanding and respect for all, without prejudice, stereotyping or discrimination of any kind.

C. Ensuring better protection of victims and preventing racist and xenophobic crimes against vulnerable groups

16. Reports received indicate that acts motivated by racism, xenophobia and related intolerance that are perpetrated by persons belonging or linked to extremist political parties, movements and groups are not always prosecuted or adequately sanctioned. Cases of law enforcement agents refusing to record or investigate acts of racial violence perpetrated by individuals linked to extremist movements, groups or political parties were also reported. Yet without investigation and prosecution, the rights of the victims to seek justice, including access to effective remedies and reparation, are hampered. Some reports indicate that in some instances, police officers did not intervene to stop harassment, verbal abuse and violent attacks, particularly those targeting members of minorities, including Roma. Similarly, the Special Rapporteur notes with concern that racist crimes committed by individuals linked to extremist groups are sometimes sanctioned by particularly light sentences within the justice system.

17. The Special Rapporteur was also informed of cases of extremism in police forces. In certain countries, some members of the police openly propagate extreme right, nationalist and xenophobic ideas and discourse in their official capacity as guardians of the public order and civil servants of the State. He is also concerned by allegations that such police officers are also reluctant to intervene and receive complaints from victims of racist and xenophobic crimes. That situation further reinforces the vicious cycle of impunity for the extremist and vigilante groups that are responsible for such crimes. Furthermore, it strengthens the legitimate fear of the victims, who are even more reluctant to report racist or xenophobic acts, especially if they are in an undocumented situation.

18. The Special Rapporteur urges States to duly prosecute and sanction those responsible for racist and xenophobic violence, while taking into account the rights and interests of the victims. It is important to ensure that mandatory training on human rights, including on how to address racially motivated crimes committed by individuals linked to extremist political parties, movements and groups, is undertaken by law enforcement agents, including police officers, immigration and detention agents and other civil servants.

19. The lack of reporting and the absence of reliable data remains a significant obstacle to effectively addressing crimes motivated by racism, xenophobia and related intolerance that are perpetrated by individuals closely linked to extremist political parties, movements and groups. Information received indicates that victims do not report incidents for several reasons, including fear of the police, lack of trust in the criminal justice system and in public institutions in general, fear of reprisals, language barriers and ignorance of their rights.

20. The collection of accurate and up-to-date ethnically disaggregated data on racist and xenophobic crimes is therefore important, since it may help inform policy decisions on combating such crimes. The Special Rapporteur is concerned about the continued underreporting of racist crimes as it distorts statistics and data, and may as a result create the impression that crimes motivated by racism, xenophobia and related intolerance are less prevalent than they actually are. The Special Rapporteur encourages States that have not yet developed a system to collect ethnically disaggregated data to do so. He also reiterates the importance of collecting accurate statistics and disaggregated data on racist, xenophobic and homophobic crimes. He encourages States and civil society to establish detailed systems for recording, reporting and monitoring all such incidents and to encourage victims to report them.

21. The Special Rapporteur is concerned about the impact of racist and xenophobic ideas and values on some of the most vulnerable groups in society who have been most affected by the current financial and economic crisis. Young people and impoverished citizens who are experiencing unemployment and cuts in social services often do not see any opportunity for improvement in life choices in the regions and countries hardest hit by the crisis, especially in Eastern and Southern Europe. Extremist ideologies grow easily in such a fertile climate of discontent.

22. The Special Rapporteur recalls the importance of education in order to counter the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity, democracy and respect for all, as detailed in his 2013 report to the Human Rights Council (A/HRC/23/56). The State has an inherent role and responsibility in that area, but the position of parents and families in fostering a culture of tolerance and respect is also fundamental.

23. The Special Rapporteur expresses his concern at the rise in some countries of xenophobic and right-wing tendencies among young people and at the reported growth in outreach activities by extremist organizations using the Internet and social media to disseminate their propaganda, specifically among young people. That is a major concern as young people are particularly vulnerable to extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements.

24. The Special Rapporteur welcomes information provided about campaigns launched in schools by the State as well as civil society organizations to raise awareness about neo-Nazi ideology. He emphasizes that human rights education is a key tool in countering the rise of extremist political parties, movements and groups among the younger generation, and in building a society based on pluralism, tolerance, and respect for cultural diversity, multiculturalism and non-discrimination. Furthermore, it is equally essential to raise awareness among parents and teachers, as young people are influenced by ideas at home and at school.

III. Cyberracism and hate propaganda disseminated in social media by extremist political parties, movements and groups

25. With the rapid development of new technologies, the Internet and social media have been used as instruments for the dissemination of ideas, including the dissemination of racist ideas and hate speech under the supposed anonymity provided by online forums. The Special Rapporteur is concerned that some extremist groups may have moved their activities to the Internet and social media networks to spread their ideas and propaganda with relative impunity. Civil society organizations also provided information about the increased use of the Internet by individuals and groups closely linked to extremist movements. In that regard, the Special Rapporteur would like to express his concern about the increased use of the Internet to propagate racism, xenophobia, racial discrimination and related intolerance.

26. Reports received confirm that extremist political parties, movements and groups are still actively present on the Internet and social media networks, including through material published on their websites or those of sympathetic organizations which promote and incite racial discrimination and violence. Furthermore, the Internet and social media not only remain important channels for extremist movements and groups to spread hate speech and incite racial violence and abuse against specific groups of individuals, but they use them as a means of expanding their networks of individuals and groups worldwide. It was also

reported that the Internet is used by a number of extremist movements and groups, especially far right-wing movements, as the perfect recruitment platform for potential new members, as it enables easy invitations to various online events and meetings without distance constraints.

27. The Special Rapporteur reiterates that the Internet and social media can also be useful tools for preventing the spread of racist ideologies by extremist political parties, groups and movements. In that connection, he welcomes the fact that the mainstream media in some countries have started to recognize the cultural value of diversity and to promote the idea of improving the living and working conditions of members of minorities. He welcomes information received about projects set up at the national level by civil society groups with the support of public authorities, including the creation of social network-based platforms targeting young people and aiming specifically at countering extremism, xenophobia and other forms of intolerance and fostering a democratic culture.

28. In that regard, the Special Rapporteur has addressed the issue of racism and hate speech on the Internet and social media previously, in his 2012 report to the General Assembly (A/67/326), and does so again in his thematic report to current session of the Human Rights Council (A/HRC/28/49).

IV. Preventing and countering racism and extremism in sport

29. The Special Rapporteur recalls that there is no place for racism and intolerance in sport. Sport is meant to foster social cohesion, bring different cultures together in a celebration of healthy competition, and overcome the diffidence and contempt that all too often divide countries and communities in the political and social arenas. Racism in sport, manifested by both fans and competitors, is an ongoing concern for the Special Rapporteur.

30. Unfortunately, information has been received about the presence of extremist groups, including neo-Nazis and skinhead groups in sports, particularly football and some other sports. In that regard, the Special Rapporteur is concerned about reported cases of racist symbols and banners displayed during football matches, as well as the shouting of racist slogans and the making of racist gestures on those occasions, often directed at players or supporters of African descent.

31. Such incidents are particularly damaging given the important role that professional athletes play in inspiring young people. The Special Rapporteur recalls that States are bound to comply with the provisions of international human rights law vis-à-vis sporting events. Decades after the adoption of the Universal Declaration of Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, athletes and their supporters, like all other individuals, have the right to a secure environment devoid of racism and prejudice.

32. The Special Rapporteur calls on States and all relevant authorities, including sports federations, to deal with the presence of extremist groups, including neo-Nazis, skinhead groups, as well as hooligans at sports events, including football matches. Indeed, in the light of major sports events, such as the 2014 International Federation of Association Football (FIFA) World Cup or the XXII Olympic Winter Games, it is crucial that preventive measures be taken to avoid acts of racial violence, xenophobia, abuse and incitement to racial hatred by extremist individuals or groups.

33. The Special Rapporteur encourages national and international sports organizations and federations to develop and implement codes of conduct that address the issue of extremist ideologies and intolerance among supporters. In addition, sporting events could be used as an opportunity for host States to further promote human rights, democracy and the rule of law, and to address human rights and the democratic challenges posed by extremist political parties, movements and groups.

34. Referring to one of the fundamental principles of Olympism, that every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play, the Human Rights Council, in its Resolution 13/27, urged States and the relevant international and regional organizations "to intensify the fight against racism in sport".[1] In that context, the Special Rapporteur reiterates the call to sporting authorities and corporate sponsors and recalls their responsibility to anticipate and combat racism in sports in a decisive and exemplary manner.

V. Countering Holocaust denial and the distortion of History

35. Holocaust denial is an attempt to negate the established facts of the Nazi genocide of European Jews, Roma, gays and lesbians as well as political opponents. Key denial assertions include that the murder of approximately six million Jews during the Second World War never occurred, that the Nazis had no official policy or intention to exterminate the Jews, and that the extermination camps such as Auschwitz-Birkenau never existed.

36. The Special Rapporteur recalls that the Holocaust is one of the well-documented events in recent history. Holocaust denial and distortion are generally motivated by strong anti-Semitism, and build on the claim that the Holocaust was invented or exaggerated as part of a plot to advance Jewish interests. That view perpetuates long-standing anti-Semitic prejudices and stereotypes, accusing Jews of conspiracy and world domination and of hateful charges that were instrumental in laying the groundwork for the Holocaust.

37. The Special Rapporteur was informed that allegedly, in one European country, the funeral of a Waffen Schutzstaffel (SS) officer took place with full military honours and the participation of some representatives of the Government. In another country, a celebration marking a Nazi military victory was also reported. The Special Rapporteur believes that such events create dangerous precedents and go against human rights values of tolerance and mutual understanding. Such events are against universally recognized principles of international law and the spirit of the Charter of the United Nations and also contravene the provisions of several United Nations General Assembly resolutions on the issue.[2]

38. The Special Rapporteur is concerned about information received regarding a comedian and other public personalities in Western Europe who have promoted anti-Semitic views in public. The Special Rapporteur is of the opinion that the promotion of anti-Semitism and Holocaust denial should not benefit from claims for absolute protection of freedom of speech.

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[1] More recently, on 21 March 2013, Racism and sport was the focus of the International Day for the Elimination of Racial Discrimination. See www.ohchr.org/EN/NewsEvents/IDERD/Pages/EliminationRacialDiscrimination.aspx (accessed on 17 February 2014).

[2] See, for example, the following resolutions adopted by the General Assembly: 65/199, 66/143, 67/154 and 68/150.

39. The Special Rapporteur welcomes the initiative of some countries which have made a number of commitments to combat anti-Semitism through various measures, including legislation, effective law enforcement, education and strengthening civil society. Holocaust denial is explicitly considered a crime in several countries, including the Czech Republic, France, Germany, Hungary, Israel, Lithuania, Luxembourg, Poland and Romania. The Special Rapporteur emphasizes the importance of criminalizing the approval, denial or belittlement of the Holocaust in national law, given that such denial could potentially promote racist ideologies and hence constitute hate speech under article 4 (a) of the International Convention on the Elimination of All Forms of Racial Discrimination.

40. The Special Rapporteur notes that, although many countries commemorate the Holocaust on a special day, manifestations of anti-Semitism, including conspiracy theories involving Jews and Holocaust denial persist in societies across Europe. In the light of worrying manifestations of Holocaust denial and trivialization in many different countries, the Special Rapporteur recalls that education is one of the most effective ways of countering such manifestations, and recommends that States ensure that education about the Holocaust is included on school curricula.

41. The Holocaust is a powerful reminder of the need to protect, promote and defend human rights. The Special Rapporteur recalls that by promoting Holocaust remembrance, Governments can also speak out against contemporary manifestations of racism, anti-Semitism and other related intolerance.

VI. Good practices developed to counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements

42. In the present section, the Special Rapporteur discusses some of the practices developed by States and other stakeholders to counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements.

43. The Special Rapporteur welcomes the legislative developments at the domestic level in different countries. A growing number of States have either enacted specific laws or included in their general Criminal or Penal Codes provisions on aggravating circumstances for offences committed on the grounds of persecution or hatred based on gender, race, nationality or religion, sexual orientation, migration status, or for the purpose of completely or partially annihilating a national, ethnic, racial or religious group or individual. Similarly, a number of States have included provisions in their migration and refugee statutes that reaffirm the principle of non-discrimination and mandate the specific institutions in charge of those issues to take all measures necessary to prevent discrimination against migrants and refugees. Furthermore, a growing number of States prohibit racial discrimination, xenophobia and homophobia in their Constitutions and in specific laws.

44. Moreover, a growing number of States have incorporated the International Convention on the Elimination of All Forms of Racial Discrimination into their national legislation, and have recognized the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups claiming to be victims of a violation by the State of any of the rights set forth in the Convention.

45. The Special Rapporteur notes with satisfaction the adoption of national action plans and policies to combat racism and racial discrimination and to promote the social integration of individuals belonging to minorities. Cooperation with relevant international and regional human rights mechanisms and with civil society is also important. In that respect, the Special Rapporteur appreciates the engagement of States with international and regional human rights mechanisms, including the Committee on the Elimination of Racial Discrimination and the special procedures of the United Nations Human Rights Council.

46. The Special Rapporteur notes with interest that some States and national human rights institutions have developed data collection systems on hate crimes, including crimes committed against individuals on the grounds of race, colour, ethnicity, origin or minority status, citizenship, language, religion, disability, sexual orientation, gender or transgender status. It was also reported that some States collect data specifically on racist crimes committed by members of extremist groups. The Special Rapporteur also noted that, in the absence of official data in some States, non-governmental organizations play a key role in collecting statistical data on hate crimes. He welcomes those initiatives, which facilitate the assessment of the prevalence of such crimes and the impact of legislation.

47. Addressing the root causes of extremist political parties, movements and groups is crucial and education is a key means to address such a challenging phenomenon. The Special Rapporteur welcomes initiatives developed by civil society organizations, such as educational activities aimed at unmasking extremist ideologies in secondary schools and monitoring racially motivated incidents at sporting events. Those measures also appear to be among the positive steps taken by States in response to the rise of extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. The Special Rapporteur notes with satisfaction that human rights education is of particular importance for a number of States. Other positive examples identified include the training of law enforcement agents. The Special Rapporteur notes in particular that, in some cases, compulsory human rights training sessions were developed for the judiciary and police and that specific units dealing with hate crimes and racism were also established, including within the Public Prosecutor's Office.

48. A number of good practices were also identified with respect to awareness-raising activities to foster tolerance and respect for cultural diversity and to strengthen intercultural dialogue. They include the organization of cultural events, art festivals of national minorities, exhibitions, concerts, forums and seminars, and the publication of books and brochures promoting cultural diversity. The Special Rapporteur encourages such initiatives, which offer a space for further intercultural dialogue and interaction. Other initiatives, such as information broadcasts on radio, television and the Internet aimed at promoting acceptance and tolerance among different ethnic groups, are also appreciated. Mainstream media in some countries have reportedly started to recognize the cultural benefits minorities bring and to promote the idea of improving living and working conditions for members of minorities.

VII. Conclusions and recommendations

49. **The Special Rapporteur appreciates the efforts made by States to counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. While good practices have been identified, important challenges remain; they require greater efforts and increased vigilance. The rise in extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements, continues to**

pose major human rights and democratic challenges, especially regarding vulnerable groups and individual victims of racist and xenophobic crimes. In that regard, the Special Rapporteur is of the view that a comprehensive approach based on a solid legal framework also includes key policy measures including education and awareness-raising programmes which should be further developed and implemented.

50. As long as extremist political parties, movements and groups continue to exist, legally or illegally, they will remain a major challenge to democracy. In that regard, States should always bear in mind that preserving and consolidating the values of democracy is essential to effectively preventing and combating racism, racial discrimination, xenophobia and related intolerance. Political leaders and parties must therefore strongly condemn all messages disseminating ideas based on racial superiority or hatred, incitement to racial discrimination or xenophobia. Political leaders and parties should be aware of the moral authority they bear, promote tolerance and respect, and refrain from forming coalitions with extremist parties of a racist or xenophobic character. Respect for human rights and freedoms, democracy and the rule of law should always be the cornerstone of all their programmes and activities, bearing in mind the need to ensure that political and legal systems reflect the multicultural character of their societies. Political leaders and parties are therefore urged to promote diversity and multiculturalism, as well as tolerance, mutual understanding and respect.

51. The Special Rapporteur recommends that States adopt legislation that conforms to international human rights standards. He emphasizes that the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action, the outcome document of the Durban Review Conference and the Rabat Plan of Action constitute major comprehensive frameworks for action against racism, racial discrimination and xenophobia. He recalls that any advocacy of national, racial or religious hatred which constitutes incitement to discrimination, hostility or violence should be prohibited by law, as should the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination as well as all acts of violence or incitement to such acts. In that regard, the Special Rapporteur calls upon all States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to comply fully with their obligations enshrined in article 4 of the Convention.

52. In order to prevent and address in an effective manner the perpetration of racist or xenophobic crimes by individuals and groups of individuals closely linked to extremist political parties, movements and groups, States should also introduce into their criminal legislation provisions indicating that the commission of an offence with a racist, xenophobic, anti-Semitic or homophobic motivation or aim constitutes an aggravating circumstance resulting in heavier sanctions.

53. The Special Rapporteur urges States to ensure that victims of crimes motivated by racism or xenophobia have full access to effective legal remedies, including the right to seek just and adequate reparation for any damage suffered as a result of such crimes. The Special Rapporteur also recommends that States ensure that victims of racist or xenophobic crimes are provided with the necessary legal, medical and psychological assistance and are made aware of their rights and of existing judicial and non-judicial remedies. States should further engage with vulnerable groups or minorities who are at particular risk of racist or xenophobic crimes, reduce their fear, restore confidence in law enforcement officers and allow for better reporting of such crimes.

54. The Special Rapporteur recommends that States strengthen the capacity of law enforcement agents and members of the judiciary through mandatory human rights training with a focus on crimes motivated by racist or xenophobic attitudes. Law enforcement agents should be provided with the necessary instructions, procedures and resources to identify, investigate and register racist and xenophobic crimes. Echoing the words of his predecessor, the Special Rapporteur emphasizes that States should also ensure that law enforcement agents engage with vulnerable groups and minorities who are at particular risk of racist or xenophobic crimes, in order to reduce their fear, restore confidence in law enforcement officers and allow for better reporting of racist crimes.

55. It is of utmost importance that States ensure that the perpetrators of crimes motivated by racism or xenophobia are prosecuted and adequately sanctioned. Prompt, thorough and impartial investigations are crucial as a first step towards ensuring justice for victims and fighting impunity. In that regard, States have the responsibility to bring to justice the perpetrators of crimes motivated by racism or xenophobia and to fight against impunity for such crimes.

56. The Special Rapporteur recommends that law enforcement agencies and national human rights institutions collect statistics on racist and xenophobic crimes and ensure that their data collection systems identify the types of offences committed and the characteristics of the victims and perpetrators, including whether they are affiliated with an extremist political party, movement or group. Such statistics would allow for an accurate assessment of the effectiveness of measures taken to address racist crimes.

57. Efforts made by States to counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements should be enhanced through the replication of good practices. In that regard, it is important that the sharing of good practices increase among all relevant stakeholders. Indeed, as stated in the outcome document of the Durban Review Conference, a broad sharing of best practices in all regions of the world aimed at preventing, combating and eradicating racism, racial discrimination, xenophobia and related intolerance can assist Governments, parliaments, the judiciary, social partners and civil society with the effective implementation of the provisions of the Durban Declaration and Programme of Action.

58. The Special Rapporteur would like to recall the importance of cooperating closely with civil society and international and regional human rights mechanisms to effectively counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. National human rights institutions should develop appropriate programmes to promote tolerance of and respect for all, and should be encouraged to collect relevant information.

59. The Special Rapporteur recalls that education remains one of the most effective means of countering the negative influence that extremist political parties, movements and groups may have on young people. Reiterating the call in paragraph 136 of the Durban Programme of Action, he urges States to ensure that education and training, especially teacher training, promote respect for human rights and the fight against racism, racial discrimination, xenophobia and related intolerance, and that educational institutions implement policies and programmes on equal opportunities, anti-racism, gender equality and cultural, religious and other diversity, with the participation of teachers, parents and students.

60. The Special Rapporteur condemns any denial or attempt to deny the Holocaust and all manifestations of religious intolerance, incitement, harassment or violence against persons or communities based on ethnic origin or religious belief. He also calls for the active preservation of the Holocaust sites which served as Nazi death camps, concentration and forced labour camps and prisons. The Special Rapporteur further encourages States to take legislative, law enforcement and educational measures to put an end to Holocaust denial.

61. The Special Rapporteur notes with concern the increased use of the Internet by extremist political parties, movements and groups to proliferate, promote and disseminate racist content. In that context, the positive role that freedom of expression can play in promoting democracy and combating racist and xenophobic ideologies based on racial superiority should be stressed. Indeed, States should take all opportunities, including those provided by the Internet and social media, to counter the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy.

62. The organization of cultural events, festivals, conferences, seminars, competitions, exhibitions, research work and publications, as well as information campaigns and other events aimed at providing a space for intercultural dialogue and interaction, are also positive initiatives which contribute to the building of a society based on pluralism, tolerance, respect for cultural diversity, multiculturalism and non-discrimination, and should be encouraged.

63. In the light of the sporting events taking place in 2014, including the XXII Olympic Winter Games and the FIFA World Cup, the Special Rapporteur calls on States to strengthen measures to prevent racist and xenophobic incidents at sporting events. He reiterates the key role of sport in promoting cultural diversity, tolerance and harmony and recommends that States take advantage of such events to promote the values of tolerance and respect. He further recalls paragraph 218 of the Durban Programme of Action, which urges States, in cooperation with intergovernmental organizations, the International Olympic Committee and international and regional sports federations, to intensify the fight against racism in sport by educating the youth of the world through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity.